

### **REMARKS**

Applicants reply to the Office Action mailed on May 14, 2008, the period of response for which is hereby extended three months, which is up to and including November 14, 2007. Applicants acknowledge and thank the Examiner for finding patentable subject matter. Applicants have previously withdrawn claims 1, 3-6, 13-64 and 69-71 pursuant to a Restriction Requirement dated December 27, 2004 and cancelled claim 2. Additionally, without admission or waiver, Applicants hereby cancel claims 7-12, 65-68 and 72-111 and adopt Examiner's suggestion for allowable claimed subject matter by adding claims 112-131. Support for these Amendments to the claim listing may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these Amendments. Upon entry of the foregoing Amendments, Applicants respectfully request allowance of the pending 20 claims (2 independent claims, 20 claims total) in light of the following Remarks.

Preliminarily, the Examiner has provided an exemplary independent claim considered to distinguish patentably over the art of record. Applicants have added new independent claim 112 in substantially the same form as provided by the Examiner. Accordingly, Applicants request allowance of the instant application for patent and the claimed subject matter as presently recited.

#### **Claim Rejections under 35 USC §103(a)**

A. U.S. Patent 6,090,251 (Sundberg et al.) and/or U.S. Patent 4,797,211 (Ehrfeld et al.) in view of U.S. Patent Publication US 2004/0248167 (Quake et al.) and/or U.S. Patent 5,204,525 (Hillman et al.)

Claims 7-12, 65-68 and 72-111 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sundberg et al. (US 6,090,251) and/or Ehrfeld et al. (US 4,797,211) and/or

Quake et al. (US 2004/0248167) and/or Hillman et al. (US 5,204,525). Claims 7-12, 65-68 and 72-111 have been cancelled, without admission or waiver, in favor of claims 112-131 substantially similar in form to the allowable claim proposed by the Examiner. Accordingly, Applicants submit that withdrawal of claims 7-12, 65-68 and 72-111 renders these rejections moot and requests withdrawal of any rejections of these claims.

Specifically, Applicants agree with the Examiner that Sundberg, Ehrfeld, Quake, and/or Hillman do not anticipate and/or render obvious the claimed invention as presently recited in claims 112-131.

B. U.S. Patent 5,922,210 (Brody) and/or U.S. Patent 4,797,211 (Ehrfeld et al.) in view of U.S. Patent Publication US 2004/0248167 (Quake et al.) and/or U.S. Patent 5,204,525 (Hillman et al.)

Claims 7-12, 65-68 and 72-111 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Brody (US 5,922,210) and/or Ehrfeld et al. (US 4,797,211) and/or Quake et al. (US 2004/0248167) and/or Hillman et al. (US 5,204,525). Claims 7-12, 65-68 and 72-111 have been cancelled, without admission or waiver, in favor of claims 112-131 substantially similar in form to the allowable claim proposed by the Examiner. Accordingly, Applicant submits that withdrawal of claims 7-12, 65-68 and 72-111 renders these rejections moot and requests withdrawal of any rejections of these claims.

Specifically, Applicants agree with the Examiner that Brody, Ehrfeld, Quake, and/or Hillman do not anticipate and/or render obvious the claimed invention as presently recited in claims 112-131.

**CONCLUSION**

Applicants submit that the application is in condition for examination on the merits and that all pending claims 20 claims (2 independent claims, 20 claims total) are patentable. Applicant respectfully requests allowance of all pending claims. The Examiner is invited to telephone the undersigned at (480) 968-3388 at the Examiner's convenience, if that would help further prosecution of the subject Application.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-4590**. **This statement does NOT authorize charge of the issue fee.**

Respectfully submitted,

Dated: November 13, 2008

By:  \_\_\_\_\_

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